Confidential

P.W. (1944) Department

Confidential Letter
~~Endorsement~~
~~D.O.~~
~~Memorandum~~
~~Lettegram~~

No. 6179G/44-2

Dated 28 4 - 1944.

closed
on
6K
11.12.44.

FURTHER PAPERS.

Department.	Number.	Series.	Date.

CONFIDENTIAL.

Telephone No.2622.
Telegram: LIAISON.

Post Box No.1236, Mount Road,
Madras, Dated 16th Nov. 1944.

DISC/M/Con/19285

56725
17.11.44

From

The Dy. Iron and Steel Controller, Madras Circle.

To

The Chief Secretary to the Government of Madras, Madras.

G.O. 56725/44-1
17-11-44. Pub (W.A)/Secy

Pub Secy/Home Dept.

Sir,

Sub: Contravention of Iron and Steel Control Orders by Mr. Harkarandas Mangilal of Vizianagram and Mr. G.S.Ramiah of Vizagapatam.

CHIEF SECRETARY
17 NOV 1944
GOVERNMENT OF MADRAS

18
7.11.44
Sent.
19.11.44.

17/11/44

I have the honour to inform you that a prosecution was launched by this Control early in November 1943 against Mr. Harkarandas Mangilal, ex-selling agent of Messrs. Tata Iron and Steel Company Ltd., Vizianagram and Mr. G.S.Ramiah, Iron Merchant of Vizagapatam for contravention of the Iron and Steel Control Orders.

2. The facts of the case are briefly as follows:-

The Iron and Steel Controller, Calcutta authorized Messrs. Tata Iron and Steel Company Ltd., Vizianagram in his Written Order No. 51247 to release 40 tons of iron and steel of the Controlled categories consisting of 10 tons of bars and 30 tons of sheets to Mr. H. Mangilal, the condition being that he (Mr. Mangilal) should sell the materials to bonafide consumers and users within the limits of Unlicensed Sales prescribed by the Central Government in accordance with the provisions of Clause 7(a) of the Iron and Steel (Control of Distribution) Order of 1941. (The limits of Unlicensed Sale for the materials under reference at the time of the offence were as follows:

Bars (M.S.Flats) .. 2 cwts. per consumer per month.
Black Sheets ..56 lbs. -do-)

Mr. Mangilal accepted the above condition and signed a declaration form to that effect, but in flagrant violation of the undertaking given by him he sold the entire lot of 33 tons and odd which he had then received from Messrs. Tatas to one party viz., Mr. G.S.Ramiah and had the materials transported to Vizagapatam by road without a Movement Permit from this Control.

Acting on the strength of an anonymous letter, the matter was investigated by this Control and then placed with concrete evidence in the hands of the Police (vide my confidential letter DISC/M/Con/37 dated 8/9-11-43 to the District Superintendent of Police, Vizagapatam) for prosecution of the parties concerned. Investigation by the Police was protracted and case C.C.68/44 was filed by them in the Court of the Joint Magistrate, Vizianagram in February 1944 against both the parties for contravention of

(1) Clauses 4 and 5 read with Clause 7 (a) of the Iron & Steel (Control of Distribution) Order of 1941.

(2) Iron and Steel (Movement by Road and River) Order of 1942.

The case dragged on for nearly four months in the Court and on 19-8-44 the Joint Magistrate, Vizianagram delivered judgment convicting both the accused to pay a fine of one hundred rupees each in default to one month's R. I and

Confidential

Letter No. 6179G/44-2 dated 28-11-44

Drafd. GH 29.11.44

To The Dy Iron and Steel Controller Madras.

Sir

Sub: Contravention of Iron and Steel Control Orders by Mr. Harkaramdas Mangilal of Vizianagaram and Mr. G.S. Ramiah of Vizianagaram.

Ppl-3 Y Ref: your Letter No. DISC/H/Con/19285 dt 16.11.44

I am directed to acknowledge

the receipt of your letter noted above,
and to state that it will have the
attention of this Govt.

25/11/HH 25.11. 26.11.44.

Sub: Contravention of Iron and Steel Control Order by Mr. Harikumar & Manager of Vijayanagaram and Mr. G.S. Ramaiah of Vizagapatam - Reg.

Ref: from the Dy. Iron and Steel Controller Madras DISC/H/Con/1925 dated 16.11.44

A.S. The Dy. Iron and Steel Controller, Madras, brings to the notice of the Govt. that the facts of a case relating to the Contravention of the Iron and Steel Control Order by Mr. Harikumar Manager of Vijayanagaram and Mr. G.S. Ramaiah of Vizagapatam, for prosecution of the two persons. The police filed a report in Feb. 43, after investigation, in the court of the Jr. Magistrate, Vizianagaram. The Jr. later delivered judgment on 19.8.44 convicting both the accused to pay a fine of one hundred rupees each, in default to one month R.I. and ordering the release of material to the 2nd accused. The Dy. Iron and Steel Controller points out that the punishment was totally inadequate for the reasons given in para 3 of his letter, and that he could not apply for revision (due to lapse of time) as he was made known the result of the case only on 14.11.44 on a reference to the Jr. Magistrate, Vizianagaram from him, and that neither the local police nor the prosecuting Sub-Inspector at Vizianagaram advised him of the results of the case as soon as judgment was delivered. In the circumstances, he requests that Confidential instructions may be issued to all magistrates who try such cases to impose deterrent sentences so that Control can function efficiently.

2. In this connection it may be pointed out that the Madras Office Memo. No. [illegible] (Deptt. of Supply) -19-(3)-44 dated 16-2-44

the Dy. Iron and Steel Controller of the Circle, are available for giving technical advice if the police are in doubt in any case, whether an offence has been Committed or not, under the Iron and Steel (Control of Production and Distribution) Order 1941 & Iron & Steel (Control) Order No. W.119-1943 and entitled etc. to be the effect that the Dy. Iron and Steel Controllers are also available for giving technical advice in connection with prosecutions under (1) Iron and Steel (Movement by Rail) Order 1942 and Iron and Steel (Movement by Road or River Order) 1942. These letters were communicated to the D. M.S., the I. G. of Police and the Commissioner of Police for information and guidance.

[These orders have no connection at all with stop this kind of thing]

'M' - I. G.
K 1 pp 3 to 7
pp 9 & 13 of (W)

For orders thereafter the file may be sent to Home D. for necessary action and a draft reply

24/11/1944.

I am strongly against issuing 'snorters' all round, when one officer is thought to have slipped up. And I am also against issuing circulars of the kind suggested here especially on one concrete instance. I think the Dy. Controll can be told that we have received his letter, which will have our attention--and then close the case.

24.11.44

24/11/44

Home.

P.N.D.W.-I.No. 6179G/42-1

22.11.1944

28 NOV 44

P.W.D.

A.S. A draft letter to the Dy. Iron and Iron Steel Controller is submitted for approval.

24/11/44

24 NOV 1944 6304

30/11/44

Home 3321/6

JOINT SECRETARY 1169 HOME DEPARTMENT

23/11/44

Secy. 11.44

26.11.44

Under 2.

3 Corr. C.9
Cal. 27.11.44 27 NOV 1944
R. 27.11.44